

Notice of Allowability

Application No.

10/779,969

Examiner

Cindy D. Khuu

Applicant(s)

WALL, GARY C.

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to ____.
2. ☒ The allowed claim(s) is/are 1-25.
3. ☒ The drawings filed on 17 February 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: ____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date ____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date ____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date ____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date ____
7. ☐ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other ____

DETAILED ACTION

Examiner's Amendment

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given by Mr. William P. O'Meara during a telephone interview on June 13, 2005.

The application has been amended as follows:

The abstract: Replace the term "comprises" (line 1) with the term – includes --.

Allowable Subject Matter

Claims 1-25 are allowed.

The following is a statement of reasons for the indication of allowable subject matter: The prior art of record, taken alone or in combination, fails to disclose or render obvious, determining in response to said sensor reading having not changed if said sensor reading is stable, incrementing a reading change counter and setting a stable reading counter to zero in response to the present sensor reading not equaling an immediately previous sensor reading, in combination with the rest of the limitations of the claims.

With respect to claims 1, 16, and 24 Holmes et al. (US 2002/0190858) teach a method, computer, and system comprising: determining if a sensor reading has changed (**Paragraph 0056**); and determining if sensor reading being stable (**Paragraph 0097**).

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However, Holmes does not teach at least a method, computer, and system comprising: reporting, in response to said sensor reading toggling, a bouncing sensor-state error; and reporting, in response to said sensor reading being different from a most-recent stable sensor reading, a sensor state change.

With respect to claims 1, 16, and 24 Wallace, Jr. et al. (6,806,729) teach a method, computer, and system comprising: reporting, in response to said sensor reading toggling, a bouncing sensor-state error **(Abstract: Lines 8-9)**.

However, Wallace does not teach at least a method, computer, and system comprising: determining, in response to said sensor reading having not changed, if said sensor reading is stable; and reporting, in response to said sensor reading being different from a most-recent stable sensor reading, a sensor state change.

With respect to claims 10 and 25 Holmes et al. (US 2002/0190858) teach a method and system comprising: retrieving a present sensor reading; and incrementing said stable reading counter in response to the present sensor reading **(Paragraph 0045)**.

However, Holmes does not teach at least a method and system comprising: incrementing a reading change counter and setting a stable reading counter to zero in response to the present sensor reading not equaling an immediately previous sensor reading; and reporting a sensor reading bouncing error and resetting the reading change counter to zero in response to the reading change counter being greater than or equal to a reading change tolerance.

Claims 2-9, 11-15, and 17-23 are allowed due to their dependency on claims 1, 10, and 16.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

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Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cindy D. Khoo whose telephone number is (571) 272-8585. The examiner can normally be reached on M-F, 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on (571) 272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

 6/17/05


John Barlow
Supervisory Patent Examiner
Technology Center 2800